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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,038	08/27/2001	Shell S. Simpson	10007689-1	5729

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EXAMINER	
SINGH, SATWANT K	
ART UNIT	**PAPER NUMBER**
2625	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/941,038	SIMPSON ET AL.	
	Examiner	Art Unit	
	Satwant K. Singh	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10-17 and 22-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-17 and 22-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 13 June 2006.

Response to Arguments

2. Applicant's arguments with respect to claims 10 and 22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 10, 13-16, 22, and 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Berson et al. (US 6,938,154).

5. Regarding Claim 10, Berson et al disclose a method comprising: receiving, at a web service representing a printer, a request to print a document (command for operation of the network device is received); receiving, at the web service, an identification of the user (digital certificate is assigned to a network device) (Fig. 4, S402, S404) (col. 5, lines 5-8); automatically detecting when the user is in close physical proximity to the printer; and waiting to print the document until the user is in

close physical proximity to the printer (user physically in the room to obtain the document) (col. 6, lines 39-42).

6. Regarding Claim 13, Berson et al disclose a method, wherein the web service is included in a proxy coupled to the printer (server 112).

7. Regarding Claim 14, Berson et al disclose a method, wherein waiting to print the document further comprises waiting to print the document until the user has selected a particular one or more buttons on the printer (proved the key to printer once the user was physically in the room) (col. 6, lines 39-42).

8. Regarding Claim 15, Berson et al disclose a method, wherein waiting to print the document further comprises waiting to print the document until the user has entered a particular personal identification number (PIN) at the printer (provide the key to the printer) (col. 6, lines 39-42).

9. Regarding Claim 16, Berson et al disclose a method, wherein the web service receives the pin from the same computing device as the request to print the document is received from (user to provide key to printer) (col. 6, lines 39-42).

10. Regarding Claim 22, Berson et al disclose a system comprising: a network service representing a printer (network device) (col. 4, lines 26-35); a client computing device configured to, execute a network browser via which content representing a printer can be displayed to allow a user of the client computing device to request a document to be printed at the printer (command for operation of the network device is received), automatically detect an identity of the user, communicate the print request and the identity of the user to the network service (digital certificate is assigned to a

network device) (Fig. 4, S402, S404) (col. 5, lines 5-8); and wherein the network service is configured to, receive the print request (command for operation of the network device is received) and the identity of the user (digital certificate is assigned to a network device) (Fig. 4, S402, S404) (col. 5, lines 5-8) , automatically detect when the user is in close physical proximity to the printer by identifying the identity of the user being located on a device within a range of a proximity sensor at the network service, and waiting to print the requested document until the user has been detected in close physical proximity to the printer (user physically in the room to obtain the document) (co.. 6, lines 39-42).

11. Claim 24 is rejected for the same reason as claim 13.

12. Regarding Claim 25, Berson et al disclose a system, wherein the content representing the printer can be displayed to allow a user of the client computing device to enable a private printing option along with the request for the document to be printed (Fig. 4, S402, S404) (digital certificate is assigned to a network device and a command for operation of the network device is received from a user) (col. 5, lines 5-8).

13. Regarding Claim 26, Berson et al disclose a system, wherein automatically detecting the identity of the user comprises querying an operating system of the client-computing device for the identity (device can authenticate itself to a remote users) (col.4, lines 50-59).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

15. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berson et al in view of Fergen et al. (US 6,857,568).

16. Regarding Claim 11, Berson et al fail to teach a method, wherein automatically detecting when the user is in close physical proximity to the printer comprises detecting when the user is within a threshold distance of the printer, wherein the threshold distance is not greater than a range of a proximity sensor that is a part of the printer.

Fergen et al teach a method, wherein automatically detecting when the user is in close physical proximity to the printer comprises detecting when the user is within a threshold distance of the printer, wherein the threshold distance is not greater than a range of a proximity sensor that is a part of the printer (proximity sensor 38) (col. 6, lines 38-40).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Berson with the teaching of Fergen to detect if the user is close enough to the printer prior to printing the document.

17. Claims 12 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berson et al in view of Matsubayashi et al. (US 7,073,119).

18. Regarding Claim 12, Berson et al fail to teach a method, wherein the web service is embedded in the printer.

Matsubayashi et al teach a method, wherein the web service is embedded in the printer (Fig. 3, embedded web server 32).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Berson with the teaching of Matsubayashi to use a printers own embedded web server to print private documents over the internet.

19. Claim 23 is rejected for the same reason as claim 12.

20. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berson et al in view of Nykanen et al. (US 6,285,889).

21. Regarding Claim 17, Berson et al fail to teach a method, wherein the receiving comprises receiving the identification of the user from a client computing device being used by the user, and wherein no printer driver for the printer is installed on the client computing device.

Nykanen et al teach a method, wherein the receiving comprises receiving the identification of the user from a client computing device being used by the user, and wherein no printer driver for the printer is installed on the client computing device (no printer drivers are needed in portable terminal device 10) (col. 5, lines 59-62).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Berson with the teaching of to allow computing devices without printer drivers to be able to output print jobs.

22. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berson et al in view of Rhoads et al. (US 6,947,571).

23. Regarding Claim 27, Berson et al fail to teach a system, wherein automatically detecting the identity of the user comprised using a proximity sensor that is part of the client computing device to identity the user identification from a device worn by a user.

Rhoads et al teach a system, wherein automatically detecting the identity of the user comprised using a proximity sensor that is part of the client computing device to identity the user identification from a device worn by a user (badge ID discerned from the proximity sensor) (col. 17, lines 54-59).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Berson with the teaching of to identity the user of the print job by the id being transmitted by the sensor on the portable terminal device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Satwant Singh

Satwant K. Singh
Examiner
Art Unit 2625

sks

KA Williams

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER